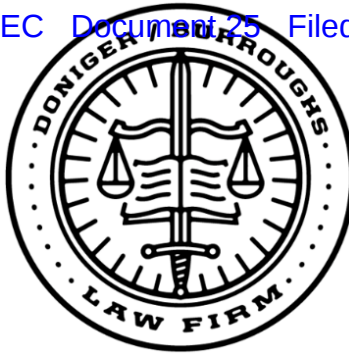


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June 15, 2023

DELIVERED VIA ECF

The Honorable Valerie Caproni
Thurgood Marshall
United States Courthouse
40 Foley Street, Courtroom 443
New York, New York 10007-1312

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 06/16/2023

Case Title: *August Image LLC; et al. v. Girard Entertainment & Media, LLC; et al., 1:23-cv-1492*
Re: **Letter Request for telephonic appearance at or adjournment of June 23, 2023 hearing**

Your Honor:

Our office represents Plaintiffs August Image LLC and Mark Seliger in the above referenced matter. We write to the Court to respectfully request that counsel be permitted to appear telephonically at the Initial Pre-Trial Conference for this case, which is currently scheduled for June 23, 2023, at 10:00 a.m. (Dkt. No. 22), or in the alternative that the conference be adjourned.

Both attorneys of record for Plaintiffs, Scott Alan Burroughs and Stephen M. Doniger, will be outside of New York City on June 23, 2023, and thus will be unable to attend the conference in person as currently scheduled. Mr. Doniger is based out of Los Angeles and has a pre-planned family trip to Europe which leaves from Los Angeles on the morning of June 24 such that he will be logistically unable to attend the hearing on June 23, and Mr. Burroughs will be away from the office for personal reasons through July 5, 2023. Mr. Doniger could attend the June 23, 2023, hearing telephonically from Los Angeles.

On June 13, 2023, we advised defense counsel of our conflict and requested agreement to telephonic appearance or adjournment. Counsel responded that she does not consent to telephonic appearance as she believes there is value in in-person attendance, but is amenable to adjournment to after July 10, 2023, as she has travel plans as well.

In the interest of avoiding any unnecessary delay in this litigation and given the small value of the claim at issue (see Dkt. No. 23), Plaintiffs respectfully request that counsel be permitted to attend the initial pretrial conference on June 23, 2023, telephonically. In the alternative, they request that the conference be adjourned until July 11, 2023, or a date thereafter convenient to the Court. This is the Plaintiffs' first request of this nature. We thank Your Honor for your attention to this matter.

Respectfully submitted,

By: /s/ Stephen M. Doniger
Stephen M. Doniger
DONIGER / BURROUGHS

SO ORDERED

Date: _____
New York, New York

HON. VALERIE CAPRONI

The initial pretrial conference in this matter is ADJOURNED to **Friday, July 21, 2023, at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. Plaintiff's counsel must be prepared to show cause at the initial pretrial conference why they should not be sanctioned for contempt for failing to comply with the Court's order at Dkt. 8.

SO ORDERED.



06/16/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE